

Binding Site Plan Review Application Type II Review

Handout #37 Revised 9/30/06



What is a binding site plan review?

The purpose of binding site plan approval is to provide an alternative to the standard subdivision process for specific types of development. The binding site plan can only be applied for the purpose of dividing land for the sale or for lease of commercially or industrially zoned property or for the lease of manufactured homes or travel trailers.

What is the review process for a binding site plan review?

A binding site plan is reviewed through the same Type II process as a standard site plan. In addition to the requirements of a standard site plan (outlined below), a binding site plan shall contain:

- a. Inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land; and
- b. Provisions making any development conform to the site plan.

An example of a covenant meeting the requirements of item is provided as Exhibit "A" of this handout.

What is a Type II Review Process?

Proposed commercial and industrial developments are subject to a Type II review process, which require a ministerial decision by the Responsible Official. In making the decision, the Official must determine if the proposed development meets the requirements of the applicable sections of the Clark County Code (CCC). This decision is made after reviewing the proposal and considering written comments received from the public. The Responsible Official will approve, approve with conditions, or deny the application. This decision may be appealed to the County Hearing Examiner.

Is a pre-application conference required?

A pre-application conference is required before submitting a Type II application. The fee for a pre-application conference is **\$997**. The requirement for a conference may be waived if the Responsible Official determines that the proposal is relatively simple. A waiver requires the applicant to submit a completed "Pre-Application Review Waiver Request Form" and fee in the amount of **\$133**.

What is the application process?

The first step is to complete a State Environmental Policy Act (SEPA) environmental checklist, if applicable. The Permit Services staff, located at the Public Service Center, Permit Services Center at 1300 Franklin Street, 1st Floor, Vancouver, Washington, will assist the applicant in determining if a SEPA checklist is required with the application. The SEPA Review Application Form and Environmental Checklist are also available at the Permit Services Center.

The next step is to submit a completed Type II Site Plan Application Form, fees and a copy of the submittal requirements to the Permit Services Center.

What if I didn't submit all of the required information?

The County conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting your application, the Permit Services staff will conduct a "**Counter Complete**" review of your submittal package. This initial review ensures that **all items with a bold underlined space** listed within the site plan review submittal requirements have been submitted before accepting your application (see attached submittal list). These include:

1. Application Form
2. Application Fee
3. Submittal Copies
4. Pre-Application Conference Summary Report
5. Developer's GIS Packet Information
6. Approved Preliminary Plats
7. Narrative
8. Proposed Land Division Plan
9. Proposed Stormwater Plan
10. Proposed Erosion Control Plan
11. Traffic Study
12. State Environmental Checklist, if applicable
13. Covenants or Restrictions
14. Other Fully Complete Requirements

Once your application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the "**Fully Complete**" review. This more detailed review ensures that **all items with a box to the left** listed under the numbered headings of the attached submittal requirements have been submitted. As an example, does the "Proposed Site Plan" show: "Topography at two-foot contour intervals", "Water courses [streams, rivers, etc]", "Center of stream surveyed for all on-site water courses", "FEMA designated 100 year floodplain...", etc.).

If required items are missing from your original submittal, you will receive a letter of "**Not** Fully Complete," with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

If **all** of the submittal requirements have been met, the applicant will be directed to submit five (5) additional copies that contain the revisions and additional information that may have been required to be Fully Complete. Once all Fully Complete copies have been received, you will receive a "Fully Complete" determination letter and be vested on the date you submitted the Fully Complete application.

What is Vesting?

Upon a determination of Fully Complete, your application is vested with the development regulations that are in place at the time the fully complete application was submitted.

Examples:

- 1) An application is submitted on June 1st and determined to be "Fully Complete" on June 25th. The application is vested as of June 1st.

- 2) An application is submitted on June 1st and subsequently determined to be “Not Fully Complete” on June 25th. In response, the applicant submits additional information on July 8th. The revised application is subsequently determined to be “Fully Complete” on July 18th (Note: the completeness decision will be made within 14 calendar days of new submittals). The application is vested as of July 8th, the day the fully complete application was submitted.

To be vested on the date a pre-application is filed (i.e., contingently vested), the following conditions must be met:

- 1) All the required pre-application conference information was submitted on the pre-application submittal date (Note: the Pre-Application Conference Report will indicate whether the application is contingently vested); and,
- 2) A fully complete application for substantially the same proposal was filed within 180 calendar days of the date the County issued the Pre-Application Conference Report.

What kind of public notice is provided?

Within 14 calendar days from the "Fully Complete" date, a notice describing the proposal will be mailed to property owners within a 300' radius (if within an urban growth boundary), and a 500' radius (if outside an urban growth boundary) of the project site and to the applicant.

The notice will invite written comments to be submitted within 14 calendar days of the date of the notice. Copies of any written comments received in a timely manner will be sent to the applicant. The applicant may submit a written response within 14 days from the date the comments are mailed.

What is a SEPA determination?

The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts of the proposed subdivision be conducted. County staff and interested agencies will review the site plan application to determine its compliance with applicable Federal, State and County Code. Through this process, a determination will be made as to whether the impacts will be considered as: Non-significance (DNS), mitigated non-significance (MDNS), or significance (DS). For a DNS or MDNS determination, an analysis will be incorporated within the Staff Report & Decision referenced below. If a DS determination is made, the applicant is required to prepare an Environmental Impact Statement (EIS) prior to the County considering the proposed subdivision. The SEPA determination is then published in the Columbian Newspaper.

What is a Staff Report and when will the decision be made?

Staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Code (CCC). In this report, staff will make a decision to approve, approve with conditions or deny the application. This written report will be mailed to the applicant within 78 calendar days of the “Fully Complete” determination.

Can the decision be appealed?

The Planning Director's decision may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1021** fee within 14 calendar days after the written notice of the decision is mailed.

After the Preliminary Site Plan is approved, what is next?

After receiving approval of the preliminary site plan, the applicant may submit the engineering constructions and building plans for review. A final site plan, which reflects any applicable conditions of approval, must be submitted with the engineering construction plans for approval.

How long do I have before I must begin construction of the development?

A preliminary site plan approval shall be valid for a period of 5 years after approval, during which time an application for a building permit for the subject development must be submitted. This time limit may be extended where there is an approved phased development or separate development agreements have been approved. (See Clark County Code, Section 40.500.010(B) for more details)

Please see “Engineering Construction Plan Review” information handout for further information about the final engineering plan review process.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code 40.520.040 Site Plan Review.

DEVELOPMENT REVIEW TYPE II SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

The following checklist identifies information to be included with the Application. All items with a bold underlined space (i.e., **___**) must be submitted before the application will be considered “**Counter Complete**.” All items with a box to the left must be submitted before the application will be determined “**Fully Complete**.” All bulleted items must be submitted, as applicable, but are not a “Fully Complete” requirement. **(Note: The Pre-Application Conference Report will indicate any additional/exempted submittal requirements).**

At the time of application, only **one copy of the main submittal** with original signatures, **shall be submitted and bound by a jumbo clip or rubber band**. One copy of any **special studies** (e.g., wetland, floodplain, etc) **shall also be submitted but bound separately**.

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

1. **___ COVER SHEET AND TABLE OF CONTENTS** - Each submittal packet shall contain a cover sheet that contains the project name and applicant's name, address, e-mail address, and phone number. A table of contents, tabs and/or dividers to provide assistance in locating the various requirements shall follow the cover sheet.
2. **___ APPLICATION FORM** - The application form shall be completed and original signed in ink by the applicant.
3. **___ APPLICATION FEE** - The requisite fee for site plan review shall accompany the application. The check is to be made payable to "Clark County Community Development".
4. **___ PRE-APPLICATION CONFERENCE REPORT** – A copy of the “Pre-Application Conference Report” must be submitted.
5. **___ DEVELOPER’S GIS PACKET INFORMATION**
A copy of the “Developer’s GIS Packet” shall be submitted with the site plan application submittal. This packet is available from the Dept. of GIS located at the Public Services Center, 1300 Franklin Street, 2nd Floor, Vancouver, WA, for **\$30.00**, and must be ordered [(360) 397-2375 ext. 4082] a least 24 hours prior to pickup. The packet includes the following:
 - General Location Map
 - Property Information Fact Sheet
 - Arterial Roadway, C-Tran Bus Routes, Parks and Trails Map
 - Elevation Contours Map
 - Photography Map
 - Photography Map with Contours
 - Zoning Map
 - Comprehensive Plan Map

- Water, Sewer and Storm Systems Map
- Soil Type Map
- Environmental Constraints Map
- Quarter Section Map

6. **NARRATIVE**

A written narrative shall be submitted that addresses the following:

- ☐ Proposed uses, hours of operation, frequency of truck deliveries, and construction schedule;
- ☐ How the application meets or exceeds each of the applicable approval criteria and standards;
- ☐ How the proposed plan meets the minimum area and dimensions of the base zone; and,
- ☐ How the issues identified in the pre-application conference have been addressed, and generally, how services will be provided to the site.

7. **LEGAL LOT DETERMINATION INFORMATION**

The preliminary site plan shall encompass the entire area of the legal lot(s) involved in the site plan and designate the proposed use (i.e., lots, tracts, easements, dedications) for all land contained within the plan and any boundary line adjustments to be completed prior to final site plan approval. In order to demonstrate that the subject lot(s) has been created legally, the following must be submitted:

- ☐ Current owner's deed if lot determination not required, as specified in the Pre-Application Conference Report, or one of the following:
- ☐ Prior County short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a legal lot; or,
- ☐ Sales or transfer deed history dating back to 1969, to include copies of recorded deeds and/or contracts verifying the date of creation of the parcel in chronological order with each deed identified with the Assessor's lot number.

8. **APPROVED PRELIMINARY PLATS**

A map shall be submitted that shows all approved preliminary land divisions (that are yet to be recorded) and site plans (that are not final), as listed within the pre-application conference summary, that abut the site (including across public and private streets from the site). Also include approved preliminary land divisions (that are yet to be recorded) and site plans (that are not final), that are between the site and nearest public or private street providing vehicular access to the site.

9. **PRELIMINARY BOUNDARY SURVEY**

- ☐ A preliminary boundary survey of the development site shall be submitted with the development application.

10. **PROPOSED SITE PLAN**

- ☐ The proposed plan shall be drawn to a minimum engineer's scale of 1" = 200' on a sheet no larger than 24" x 36".

The following information shall be clearly depicted on the proposed site plan:

GENERAL INFORMATION

- ❑ Applicant's name, mailing address and phone number;
- ❑ Owner's name and mailing address;
- ❑ Contact person's name, mailing address, and phone number;
- ❑ North arrow (orientated to the top, left or right of page) scale and date;
- ❑ Proposed name of project (i.e., subdivision or business);
- ❑ Vicinity map covering ¼ mile radius from the development site (not required for rural area plans); and,
- ❑ Area of the site in acres or square feet.

EXISTING CONDITIONS

Environmental

(On and within one hundred (100) feet of the site)

(For purposes of being determined fully complete, only those existing conditions that are shown on the GIS map, known by the applicant or are discussed in the pre-application summary must be included on the proposed plan).

- ❑ Topography at 2 foot contour intervals, or other intervals if not available from a public source (see GIS Packet);
- ❑ Watercourses (streams, rivers, etc.) (see GIS Packet);
- Center of stream surveyed for all on-site water- courses with Professional Land Surveyor Stamp and signature;
- Areas prone to flooding;
- ❑ FEMA designated floodplains, flood fringe, or floodway (see GIS Packet);
- ❑ Designated Shoreline areas (see GIS Packet);
- ❑ Water bodies and known wetlands (see GIS Packet);
- ❑ Wetland delineation (see Pre-application Report) ;
- ❑ Unstable slopes and landslide hazard areas (see GIS Packet);
- ❑ Significant wildlife habitat or vegetation (see GIS Packet);
- ❑ Significant historic sites (see GIS Packet and Pre-Application Report); and,
- ❑ Archaeological pre-determination or archaeological survey, as applicable (see GIS Packet and Pre-Application Report).

Land Use and Transportation

- ❑ Layout, square footage and dimensions of all parcels;
- ❑ Location(s) of any existing building(s) on the site and use;
- Location and width of existing easements for access, drainage, utilities, etc.;
- ❑ Name, location and width of existing rights-of-way;
- ❑ Name, location, width and surfacing materials (e.g., gravel, asphalt or concrete) of roadways and easements (private and public);
- ❑ Location of existing driveways and those driveway across the street to include distance between driveways and roadways (edge to edge);
- Location and width of existing pedestrian and bicycle facilities on and within 100 feet of the site; and,
- ❑ Transit routes and stops within 600 feet of the development site (see GIS Packet).

Water and Sewer

- ❑ Location and direction to nearest fire hydrant (see GIS Packet);
- Location of existing sewage disposal systems and wells on the site; and,
- Location of existing sewage disposal systems and wells within 100 feet of the site (as available from the Health District).

PROPOSED IMPROVEMENTS

Environmental

- Wetland, stream, steep bank buffer areas/protected areas; and,
- Planned enhancement areas.

Land Use and Transportation

- ❑ The configuration and dimensions of the project boundaries, proposed lots and tracts (for binding site plans), including proposed park, open space, and or drainage tracts or easements;
- ❑ Dimensions of all proposed easements;
- ❑ Location (i.e., dimensions from property lines) of any existing buildings to remain on the site to include approximate square footage. For all structures, include the number of stories, construction type (e.g., metal, wood, concrete block, etc.) and proposed uses;
- ❑ Location and width of all road rights-of-way;
- ❑ Pedestrian and transit facilities;
- Location and width of proposed pedestrian and bicycle improvements other than those in standard locations within road rights-of-way;
- ❑ Location, width (e.g., curb to curb distance) and surface material of all proposed roadways (private and public), provided by drawing or note and typical cross- section (from county road standards);
- Location of all road segments in excess of 15% grade that are either on the site or within 500 feet of the site which are being proposed for site access;
- ❑ Location, width and surface material of off-site roads which will provide access to the site within 500 feet of the site;
- Location and width of proposed driveways for corner lots and driveways where site distance standards cannot be met;
- Site distance triangles where site distance standards cannot be met;
- Location and width of proposed easements for access, drainage, utilities, etc. (provided by drawing or note);
- ❑ Layout of proposed structures including square feet;
- ❑ Architectural drawings and sketches indicating floor plan, elevations, types of materials and colors, and type of construction per the Uniform Building Code;
- ❑ Location, dimensions and number of off-street parking and loading areas; and,
- ❑ Location and dimensions of recycleables and solid waste storage areas.

Landscaping

- ❑ Landscape plan for urban area arterial and collector roadways and on site landscaped areas to include:
 - Location, number, species, size at planting, and spacing of proposed plant material;
 - Location, number, species and size of existing landscape material to be removed and/or retained;
 - Location, type (such as sod, groundcover or shrub mass) and area (in terms of square fee and percentage of site) of all soft landscaped areas and buffers;
 - Location, height and materials of fences, buffers, berms, walls and other methods of screening;
 - Surface water management features integrated with landscape, recreation or open space areas;
 - Location, size and construction type of hard landscaping features such as pedestrian plazas; and,

- Active and passive recreational or open space features.

11. __ SOIL ANALYSIS REPORT

12. __ PRELIMINARY STORMWATER DESIGN REPORT

13. __ PROPOSED STORMWATER PLAN

14. __ PROJECT ENGINEER STATEMENT OF COMPLETENESS AND FEASIBILITY

The project engineer shall include a statement that all information required by Clark County Code, Chapter 40.380 Stormwater and Erosion Control Ordinance, is included in the preliminary stormwater plan and that the proposed stormwater facilities are feasible.

15. __ TRAFFIC STUDY

- ☐ Depending on the impacts associated with the proposal, a traffic study may be required to be undertaken by an engineer licensed to practice within the State of Washington, with special training and experience in traffic engineering. If a traffic study is required, the County will provide a scope of the study at the pre-application conference.
- ☐ Traffic study must be stamped, signed, and dated by a Professional Civil Engineer registered in the State of Washington; and,
- ☐ Road Modification application, if applicable.

16. __ STATE ENVIRONMENTAL REVIEW

A State Environmental Policy Act (SEPA) Environmental Checklist must be completed, original signed in ink and submitted (*available at the Permit Services Center*).

17. __ SEWER DISTRICT UTILITY REVIEW LETTER

A utility review letter must be submitted from the public sewer district, or 1 copy of a preliminary soil suitability analysis, or equivalent, for on site systems from the Clark County Health Department. For existing septic systems, provide a copy of the original approval. (*Clark county Health Department is located at 2000 Fort Vancouver Way, Vancouver, (360) 696-8428*)

18. __ WATER UTILITY REVIEW LETTER

A utility review letter must be submitted from the public water purveyor, noting the ability to meet water pressure and fire flow requirements of the Fire Marshal (as specified within the "Pre- Application Conference Summary Report"). Or provide current evidence of the availability of suitable ground water where the water purveyor has determined public water or community water systems cannot be provided. (*Contact the Clark County Health Department*).

19. __ HEALTH DEPARTMENT DEVELOPMENT REVIEW EVALUATION LETTER, IF USE OF WELLS OR SEPTIC SYSTEMS IS PROPOSED

A Development Review Evaluation letter from the Clark County Health Department must be submitted if the proposed development is planning to use wells and/or septic systems. This evaluation is conducted to identify any on-site water wells or septic systems, and confirm that the use of wells and/or septic systems is feasible.

20. COVENANTS OR RESTRICTIONS

All existing covenants or restrictions and/or easements that apply to the property must be submitted (*available from a Title Company*).

21. ASSOCIATED APPLICATIONS

Applications associated with the preliminary plan, to the extent applicable (e.g., floodplain, habitat, shoreline, wetland, variances, etc.), must be submitted prior to or concurrent with this application (see Pre-Application Conference Report).

22. SUBMITTAL COPIES:

- ____ One copy of the main submittal, bound by a jumbo clip or rubber band, with original signatures; and,
- ____ One copy of any special studies (e.g., wetland, floodplain, etc) and bound separately.

When all required information is submitted with the original application, the applicant will be directed to submit five (5) additional individually bound copies of the main submittal, including copies of the "Developer's GIS Packet". The applicant will also be directed to submit additional individually bound copies of any special studies as identified below. These copies must contain any revisions or additional information required in the Fully Complete review, and be bound using jumbo clips, stapled, comb or spiral binding, etc.

Copies of any special studies (as identified within the "Pre-Application Report") as following:

- ☐ 1 original - Archeological Pre-Determination Report
- ☐ 1 original and 1 copy - Archeological Study
- ☐ 1 original and 3 copies - Traffic Study and Road Modification requests
- ☐ 1 original and 2 copies of all other special studies or permits to include: Critical Aquifer Recharge Areas (CARA) floodplain, geo-hazard, habitat, shoreline, stormwater, erosion control plan, and wetland).
- ☐ 2 reduced copies of 11" x 17" for all sheets larger than 11" x 17."

Mining Permit Applications - A 6th copy of the main submittal package must be submitted for distribution to the Department of Natural Resources (DNR).

Staff Notes:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

This application was determined to be Counter Complete on: ____/____/____

Community Development Specialist: _____

TYPE II SITE PLAN REVIEW FEE SCHEDULE

RESIDENTIAL

Type I Review:	\$275
Type II Review - per unit	\$150
(Minimum \$1,241 - Maximum \$12,835.00)	

Non-Residential

Type I Review:	\$1,414
Type II Review or commercial pad:	\$4,169

Land extensive uses such as golf courses: **\$4,305**

Unoccupied commercial and utility structures: **\$1,996**

Tenant improvements: **\$88**

Binding site plan review: **\$235**

Legal Lot Determination: **\$175 + \$65/lot over 2 lots**

SEPA Review:

Residential:	
Single family:	\$364
1 to 5 units:	\$346
6 or more units:	\$382
All other reviews:	\$2,813 + \$70/acre

Fire Marshal Review:

Type I reviews:	\$283
Type II reviews:	\$408

Transportation Review: **\$1,275**

Unoccupied commercial and utility structures:	\$346
Tenant improvements:	\$0

Stormwater Review: **\$1,107**

Unoccupied commercial and utility structures:	\$337
Tenant improvements:	\$0

NOTE: THE Conditional Use Planning Fee is reduced by twenty-five percent (25%) when submitted concurrently with a Site Plan Review application.

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**



ADA COMPLIANCE PROGRAM:

For an alternate format, contact the Clark County ADA Compliance Office, V (360) 397-2375-2025; TTY (360) 397- 2445;
E-Mail: ADA@clark.wa.gov